

**Revised 12/9/04**

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE  
VOYAGEURS NATIONAL PARK  
INTERNATIONAL FALLS, MINNESOTA 56649**

**2004 COMPENDIUM: 36 CFR 1.7(b)**

Under the provisions of Title 16, United States Code (USC), Section 3, and Title 36, Code of Federal Regulations (CFR), Chapter 1, Parts 1-7, the following Superintendent's Orders (COMPENDIUM) are established for Voyageurs National Park. Unless otherwise noted, these orders apply in addition to the regulations contained in Parts 1-7 of Title 36 CFR.

Approved:

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Barbara West  
Superintendent

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Date

## **2004 C O M P E N D I U M: 3 6 C F R 1.7(b)**

### **Voyageurs National Park Minnesota**

#### **INTRODUCTION**

The National Park Service is responsible for the promotion and regulation of use within the areas of its jurisdiction. Regulation of activities within National Park Service areas insures that use is consistent with the fundamental purpose of the National Park Service. The purpose as stated in the Organic Act of 1916, is to "... conserve the scenery and natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations", (16 USC sec. 1).

Legislation in 1978 further articulates the goals of enforcement in the National Parks. "The authorization of activities (within National Parks) shall be construed and the protection, management and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and (these activities) shall not be exercised in the derogation of the value and purpose for which these areas have been established except as directly and specifically provided by Congress" (16 USC sec. 1a-1).

Authorized Law Enforcement personnel of the National Park Service enforce the spectrum of the laws in Title 16 and 18 of the United States Code and, through assimilation, a variety of state statutes. The majority of law enforcement is centered on enforcement of Title 36, Code of Federal Regulations. The regulations contained in Parts 1 through 7 of Title 36 of the Code of Federal Regulations are the basic mechanism used by the National Park Service to preserve the natural and cultural resources of the park and to protect visitors and property within the park. Parts 1 through 6 are general regulations applicable to all areas of the National Park System, with some exceptions, and part 7 contains special regulations specific to individual parks.

Contained within 36 CFR 1.5(a) "Closures and Public Use Limits", the Park Superintendent is given discretion in allowing or disallowing certain activities. Execution of authority granted by this section must comply with the Administrative Procedures Act (5 USC, section 551) which requires public notice and comment on actions with major impact on visitor use patterns, park resources or are highly controversial in nature.

36 CFR 1.6 allows the Superintendent to require a permit for certain uses within the park. A compilation of those activities requiring a permit must be maintained by the park.

Contained within Part 2 (36 CFR) are 34 sections dealing with Resource Protection, Public Use, and Recreation. Each of these sections has many subsections articulating specific provisions of a section. Within some of these subsections, the Superintendent is granted discretionary authority to restrict, allow and/or permit certain activities. This allows a superintendent to be responsive to the needs of specific park plans, programs, and special needs of visitors. It must be emphasized that this authority pertains to only a minority of the regulations within Title 36, Code of Federal Regulations, the rest of which is enforced as written, as are the United States Code and applicable state laws.

As an example in Part 2, section 2.1 "Preservation of Natural, Cultural and Archeological Resources" subsection (c) (1), states that the Superintendent may designate certain fruits, berries, nuts or unoccupied seashells which may be gathered by hand for personal use or consumption upon a written determination that the gathering will not adversely affect park wildlife, the reproductive potential of a plant species or otherwise adversely affect park resources. The section goes on to state that the Superintendent can limit places of harvest, times, amounts and quantities.

The Compendium for Voyageurs National Park is the summary of the rule making implemented under the discretionary authority of the Park Superintendent. It serves as public notice, allows for comment and provides a list of activities requiring permits. It is stressed that it contains only a few of the laws and regulations pertaining to administration of the park. It does not contain those regulations or laws that are enforced without further elaboration at the park level. The Compendium should be used in conjunction with Title 36, Code of Federal Regulations, sections 1 through 7 to more fully understand the regulations governing Voyageurs National Park. This Compendium in no way restricts the authority of the Superintendent to otherwise place short term restrictions or closures on any use or activity for safety, resource, or other administrative concerns.

## PART 1 - GENERAL PROVISIONS

### Section 1.5 *Closures and Public Use Limits*

- (a) (1) Seasonal closures for protection of fish and wildlife may be established and will be closed and opened through posting of signs and issuance of press releases.

All ice blocks that are cut from the ice while ice fishing, spearing, or for any reason are to be immediately chopped up, submerged, or hauled to land, so they will not be a hazard to snowmobiles.

No structures, windbreaks, or shelters may be constructed of snow or ice on any lake surface.

A U.S. Coast Guard approved personal floatation device shall be worn by all persons while on board National Park Service furnished craft except for vessels that have a current USCG certification of inspection.

Fishing is closed in Beast Lake for all fish species.

**(This 2003 season closure was implemented to reduce non-native fish populations and enhance recovery of the Northern Pike fish population.)**

The following is prohibited within 50' of the center of all staked and designated snowmobile trails on frozen lake surfaces:

Placement of equipment or any type of structure

Fishing activity or other forms of recreational activity, except snowmobile operations.

**(This compendium restriction is in response to public safety concerns resulting from fishing activity conducted on those trails open to snowmobile use as designated in 36 CFR 7.33b. Conflicting public activity within a designated trail must be prohibited in order to reduce the risk of injury or death to park visitors. Environmental conditions including poor light, inadequate depth perception and blowing snow can easily reduce the ability of a snowmobile operator to safely respond to, stop and/or avoid people, structures and materials located within a designated snowmobile trail. All designated trails are inspected and groomed, except the overland portages and the chain of lakes trail, to a width of 60'. An additional 40' width beyond the groomed designated trail area serves as a shoulder for snowmobiles to pull over and stop. This public use restriction will aid in avoiding unsafe visitor activities within 100' of designated snowmobile trails. This restriction is not expected to cause significant public controversy. )**

## **Section 1.5      *Closures and Public Use Limits***

- (a)      (2)      The following winter portages are closed to all vehicle traffic except by special use permit during the winter season. (December 1 to March 7, inclusive. Dates may vary due to ice, road, and weather conditions):
- Crane Lake to south Mukooda Lake winter portage (special use permit only, see section 1.6f)
  - South Mukooda Lake to Sand Point Lake winter portage (special use permit only, see section 1.6f)
  - Swanson's Bay to Sand Point Lake winter portage (special use permit only, see section 1.6f)
  - Lauren's Bay to Kettle Falls on Rainy Lake winter portage (special use permit only, see section 1.6f)
  - Lost Bay to Saginaw Bay winter portage on Rainy Lake (special use permit only, see section 1.6f)

## **Section 1.6      *Permits***

- (f)                      The following activities within the Park require written special use permits:
1. Construction or Maintenance of Ice Roads (36 CFR, Sec. 1.5)
  2. Disturbances to shorelines, docks, and wetlands (36 CFR, Sec. 1.5/MNDNR permit process)
  3. Travel on winter portages (36CFR 1.5a2)
  4. Public use of NPS Vessels on Interior Lakes (36 CFR, Sec. 3.3, 1.6)
  5. Transportation of Legally Taken Wildlife (36 CFR, Sec. 2.2)
  6. Carrying or Possessing Firearms (36 CFR, Sec. 2.4)
  7. Collection of Specimens (36 CFR, Sec. 2.5)
  8. All overnight use, except use and occupancy residents, private landowners and concession users (36 CFR 2.10a)
  9. Operating Power Saws in Developed Areas (36 CFR, Sec. 2.12a2)
  10. Operating Motors or Engines, including Power Saws, in Non-developed Areas (36 CFR, Sec. 2.12a3)
  11. Burning of Brush or Debris (36 CFR, Sec. 2.13a1)
  12. Removal of Downed Aircraft (36 CFR, Sec. 2.17)
  13. Possession and/or Consumption of Alcoholic Beverages in Park's Public Buildings (36 CFR, Sec. 2.35)
  14. Special Events (36 CFR, Sec. 2.50)
  15. Public Assemblies (36 CFR, Sec. 2.51)
  16. Sale or Distribution of Printed Matter (36 CFR, Sec. 2.52)
  17. Scattering of Human Ashes (36 CFR, Sec. 2.62)
  - 18.. Overnight Mooring of Vessels at Specific Locations (36 CFR, Sec. 2.10a)
  19. All Commercial Activities (e.g. commercial vehicles, filming, sale of intoxicating beverages, business operations, construction of buildings/facilities, and right-of-ways) (36 CFR, Part 5)

## PART 2 - RESOURCE PROTECTION, PUBLIC USE AND RECREATION

### Section 2.1 *Preservation of Natural, Cultural and Archeological Resources*

- (a) (4) Dead and down wood, including driftwood, is designated for collection and use as campfire fuel within the Park except in developed areas.

Individuals under a use and occupancy reservation in the park may collect dead and down wood in sufficient quantities for their use as heating fuel. Such wood cannot be removed from the Park.

Cutting live or dead standing trees is prohibited.

- (c) (1) Only the following edible species may be gathered for personal use or consumption without a written special use permit. It has been determined that gathering or consuming these species will not adversely affect park wildlife, the reproduction potential of a plant species, or otherwise adversely affect park resources.

Common Name	Scientific Name
Strawberries	Fragaria spp.
Chokecherries	Prunus spp.
Rose Hips	Rosa spp.
Blackberries	Rubus spp.
Raspberries	Rubus spp.
Blueberries	Vaccinium spp.
Cranberries	Vaccinium spp.
Wild Rice	Zizania aquatica

- (c) (2) (i) Collection of the edible plant species described in (c)(1) above is limited to one gallon per person per day.  
**(This limit was established in 2003 to ensure that consumptive use of these renewable resources is conducted for personal purposes and is conducted at a level that does not conduct irreparable harm to the health of the described plant species.)**

## **Section 2.2     *Wildlife Protection***

- (d)            A written special use permit is required to transport lawfully taken wildlife across parklands or waters. Written permission from the landowner to hunt or trap on his or her property is required for each special use permit prior to the permit being issued to anyone except the landowner of record and his or her immediate family. A written special use permit is not required for:
- Waterfowl and wildlife lawfully taken from south and west of Black Bay and transported across park lands at the Rainy Lake Visitor Center
  - Legally taken game transported through King Williams Narrows between Sand Point and Crane Lakes and on NPS 1 (commonly referred to as the Meadwood Road) from the Ash River Trail, for a distance of 1.5 miles north.
- (e)            All areas within the park are closed to viewing wildlife with any type of artificial light.

## **Section 2.3     *Fishing***

- (a) Fish, as defined under Section 1.4, does not include mussels (clams), crayfish, frogs, and turtles. State law permitting the taking of mussels (clams), crayfish, frogs, and turtle species conflicts with federal law and is not assimilated as a permitted activity within the park.

## **Section 2.4     *Weapons, Traps and Nets***

Nets and spears may be possessed for non-commercial use within the Park in accordance with State law. (36 CFR 7.33a)

## Section 2.10 *Camping and Food Storage*

- (a) All overnight users except use and occupancy residents, private landowners and concession users, are required to obtain a free self-registration permit from the Superintendent.
- (The January 2002 Final General Management Plan is the basis for the implementation of the permit system to gather information on the use of overnight sites, educate visitors about park conditions, activities, regulations and encourage visitors to split into smaller groups. PgI-vi,I-57)**

From May 15 - September 15 inclusive, overnight use is limited to not more than a 14-day stay at one site and not more than a total of 30 days within a calendar year, excluding use and occupancy residents, private landowners and concession users.

### **OVERNIGHT USE IS PROHIBITED BETWEEN SUNSET AND SUNRISE AT:**

- Designated day use sites, picnic areas, public docks, and trailheads and structures.
- On National Park Service land bordering the Black Bay Wildlife Management Area during Minnesota waterfowl hunting season.
- Within 1/4 mile of the Park's developed areas, including the parking lots, roads and picnic areas at the Rainy Lake, Kabetogama Lake, and Ash River visitor centers, Kettle Falls and on lands under a use and occupancy reservation without the tenants permission.
- At 'Cherry Nose' Island, which is described as the traditionally used undeveloped campsite located in a small bay on the southeast edge of the island southwest of Cemetery Island on Kabetogama Lake.

### **HOUSEBOAT USE:**

- Use of designated overnight houseboat sites is limited to a maximum of two houseboats per site.
- (The January 2002 Final General Management Plan is the basis for the implementation of houseboat use limits to preserve the quality of the experience for visitors and to manage resource disturbance Pg. I-61)**
- Overnight use of houseboats is prohibited at designated tent camping sites.
  - Day use is permitted at the following public docks: mooring rings at Kettle Falls; the Rainy Lake, Kabetogama Lake and Ash River Visitor Centers; Anderson Bay, Locator Lake and Little American Island trailheads.
  - Houseboats are defined (in the January 2002 Final GMP) as a motorized vessel that allows for a person to walk through an enclosed space while standing upright from bow to stern, contains sleeping facilities, a permanent or portable bathroom, and cooking facilities. Sailboats and cabin cruisers are not included in this definition.



#### **ALL OTHER CAMPING:**

- Camping 'at large' is prohibited when conducted within 200 yards of the permanent campfire ring of any designated campsite, houseboat, trailhead, structure, day use site or primitive camping site. (At large is defined as a camping area that is not officially designated and identified on park maps)
- Houseboats mooring 'at large' and overnight are prohibited from mooring within 200 yards of the permanent campfire ring of any designated campsite, houseboat, trailhead or day use site.
- Tents must be placed on tent pads, where provided.

- (d) From May 1 to November 1, all food, lawfully taken fish or wildlife, garbage, and equipment used to store food (e.g., ice chests) in all park areas must be kept in a vehicle, vessel (when it is not tied up to land or dock), bear-proof food storage locker, hung from a bear pole, or suspended at least 10 feet above the ground and 4 feet horizontally from a post, tree trunk, or other object unless the food is in the process of being prepared or consumed.

#### **Section 2.11    *Picnicking***

Public picnicking and day use activities are permitted in designated picnic areas and anywhere else in the Park between sunrise and sunset with the following exceptions:

- 1) Concessioner facilities where tables are provided as part of a food service operation.
- 2) Developed campsites after 2 p.m.  
**(The January 2002 Final General Management Plan identifies the implementation of this use restriction to minimize conflicts with overnight users and reduce confusion about the availability of sites for overnight use (Pg. I-13).**
- 3) NPS residential, maintenance, service and utility areas.
- 4) Designated houseboat sites.

#### **DAY USE LIMITS**

- Use of designated day use sites is limited to no more than 2 groups of 9 people each (tourboats excepted)  
**(The January 2002 Final General Management Plan is the basis for the implementation of day use limits to preserve the quality of the experience for visitors and to manage resource disturbance PgI-61)**

### **Section 2.13    *Fires***

- (a) (1)    Campfires are permitted within the Park including overnight and day use sites, unless prohibited by a sign .Fires must be contained in developed areas and day use areas within the metal fire grill provided by the National Park Service,

The legal occupant of federally owned lands under a use and occupancy reservation is permitted to have a campfire while utilizing said property.

A state burning permit is required for burning brush or debris.

### **Section 2.15    *Pets***

- (a)    (1)    Pets are permitted within the Park except on Park trails or within undeveloped backcountry land areas.

Dog teams and dog sleds are permitted within the park when adequate ice and snow conditions are present.

All pets must be vaccinated and possess a valid vaccination tag as required by county ordinances.

### **Section 2.18    *Snowmobiles***

- (d)    (4)    Maximum speed limit on all overland safety portages and trails is 25 mph.

**(This use restriction was implemented in 2003 for public safety reasons. As a result of numerous near accidents reported by park staff and visitors, due to snowmachines operating at the current speed limit, this restriction has been put into effect. Narrow and winding trail corridors, rough trail conditions, congestion, poor braking conditions and the increasing presence of more powerful machines has necessitated this speed reduction to ensure safe, responsive and responsible operator behavior. 25-mph speed limit signs are posted at the entrance to all safety portages.)**

### **Section 2.21    *Smoking***

- (a)    Smoking is prohibited in public use areas of the Park's visitor centers and in all government buildings.

## **Section 2.22    *Property***

- (a)      (2)      Structures used for fishing during the ice-fishing season may be left on the ice for longer than 24 hours in accordance with State law.

Visitors camping on public lands adjacent to or within the park may leave their vehicles and boat trailers unattended for more than 24 hours at designated parking areas. Overnight users of cabins may not leave vehicles or boat trailers in parking areas for more than 24 hours.

- (b)      (2)      Leaving unattended items associated with ‘geo caching’, which is an activity related to the use of GPS and the internet to locate a hidden cache of materials on park lands, is prohibited. These unattended items will be considered abandoned and impounded whenever located.

## **Section 2.35    *Alcoholic Beverages and Controlled Substances***

- (a)      (3)      The possession or consumption of alcoholic beverages is prohibited in all visitor centers except under terms of a special use permit issued by the Superintendent.

## **Section 2.51    *Public Assemblies, Meetings***

- (e)                      A map is available in the Office of the Superintendent of the areas designated for public assemblies. These locations are approximately described as follows:

Rainy Lake Visitor Center and boat launching facility - 50 ft. by 50ft. area in the western end of the boat launch parking lot near the first island.

Kabetogama Lake Visitor Center and boat launching facility 50 ft. by 50 ft. area on the small point directly north of the launch ramp.

Ash River Visitor Center - 50 ft. by 50ft. area between the center and the parking lot.

## **Section 2.52    *Sale or Distribution of Printed Matter***

- (e)                      A map is available in the Office of the Superintendent to identify the areas designated for the sale or distribution of printed matter. These locations are approximately described as follows:

Rainy Lake Visitor Center and boat launching facility - 50 ft. by 50 ft. area in the western end of the boat launch parking lot near the first island.

Kabetogama Lake Visitor Center and boat launching facility - 50 ft. by 50 ft. area on the small point directly north of the launch ramp.

Ash River Visitor Center - 50 ft. by 50 ft. area between the center and the parking lot.

## **PART 3 - BOATING AND WATER USE ACTIVITIES**

### **Section 3.3     *Permits***

A special use permit is required for overnight mooring of vessels at all docks in the following locations:

- Ash River Visitor Center
- Kabetogama Lake Visitor Center
- Rainy Lake Visitor Center
- Sand Point Ranger Station
- Little American Island

Overnight mooring special use permits at the above mentioned locations will be considered on a case by case basis under the criteria established in the general regulations under Section 1.6a.

A permit and daily use fee is required to use NPS boats associated with the Boats on Interior Lakes (BOIL) program at the following locations:

- Locator Lake
- Quill Lake
- Shoepack Lake
- Brown Lake
- Peary Lake
- Ek (Leif) Lake
- Little Shoepack Lake
- Cruiser Lake
- Cranberry Creek

**(The January 2002 Final General Management Plan is the basis for this special use permit and fee requirement to enhance management of the ‘Boats on Interior Lakes’ program. These requirements are expected to minimize periods of time when boat use does not occur and enhance accountability for boat damage by users (Pg. I-14).)**

### **Section 3.20     *Water Skiing***

- (a) Water skiing is permitted on Rainy, Kabetogama, Namakan, and Sand Point lakes.

Water skiing is prohibited in the following portions of the above lakes:

- 1) King Williams Narrows between the Park boundary and Sand Point Lake navigational buoy #27.
- 2) Namakan Narrows between navigational day marker #12 and Namakan Lake navigational day marker #14.
- 3) Kettle Falls area between navigational buoy #41 and the dam on Rainy Lake and between the dam and 100 feet west of Squirrel

Narrows on Namakan Lake.

- 4) Ash River Narrows from 100 feet beyond each end of the narrows on Kabetogama Lake.
- 5) Brule Narrows between navigational buoy #12 and #32 on Rainy Lake

**(These navigational channels are extremely narrow and winding due to hazardous rocks and shallow water depths. Water skiing within these channels is considered unsafe and hazardous for boat operators and water skiers.)**

**Section 3.21**    *Swimming and Bathing*

- (a)      (1)      Swimming or bathing is prohibited at the docks and vessel mooring basins within the Park's developed areas, except at the Whispering Pines seasonal housing area.

**Section 3.24**    *Regulation of Personal Watercraft*

- (a)              Use of personal watercraft is prohibited.

**Section 4.21**    *Speed Limits*

- (b)              The maximum speed limit on all designated ice roads is 30 mph and 25 mph on all overland portages and trails.

**PART 7 - SPECIAL REGULATIONS**

**Section 7.33**    *Aircraft*

- (c)      (3)      Aircraft are permitted to moor at any public dock within the park except at docks on public boat launch ramps.

Overnight mooring of aircraft, without a written special use permit, is prohibited within the park except when used to conduct overnight camping in the park.